

DAVIS WRIGHT TREMAINE LLP

Thomas R. Burke (CA State Bar No. 141930)
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
San Francisco, California 94111
Telephone: (415) 276-6500
Facsimile: (415) 276-6599
Email: thomasburke@dwt.com

Matt Zimmerman (CA State Bar No. 212423)
ELECTRONIC FRONTIER FOUNDATION
454 Shotwell Street
San Francisco, CA 94110
Telephone: (415) 436-9333
Facsimile: (415) 436-9993
Email: mattz@eff.org

Attorneys for Defendant Council on American Islamic
Relations of Santa Clara, Inc.

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MICHAEL SAVAGE,
Plaintiff,
v.

COUNCIL ON AMERICAN-ISLAMIC
RELATIONS, INC., COUNCIL ON
AMERICAN ISLAMIC RELATIONS ACTION
NETWORK, INC., COUNCIL ON AMERICAN
ISLAMIC RELATIONS OF SANTA CLARA,
INC., and DOES 3-100,
Defendants.

Case No. CV07-06076 SI

**DECLARATION OF DR. PARVEZ
AHMED IN SUPPORT OF
DEFENDANT'S MOTION FOR
JUDGMENT ON THE PLEADINGS**

[Fed. R. Civ. P. 12 (c)]

Date: March 7, 2008
Time: 9:00 a.m.
Courtroom 10, 19th Floor
Honorable Susan Illston

I, Dr. Parvez Ahmed, declare as follows:

1. I am the Chairman of the Board for the Council on American-Islamic Relations, Inc. in Washington, D.C. In this capacity, I have personal knowledge of the matters stated in this declaration and could competently testify to them if called as a witness. I make this declaration in support of defendant Council on American Islamic Relations of Santa Clara, Inc.'s ("CAIR") Motion to Dismiss and Motion for Judgment on the Pleadings.

2. Attached as Exhibit A to this Declaration is a true and correct copy of the page from CAIR's web site, www.cair.com, to which Plaintiff refers in paragraphs 10, 23, 24, 27-32 of the Amended Complaint. The link to the four minutes and 13 seconds of audio excerpts from Plaintiff's October 29, 2007 radio show, "The Savage Nation" appears on this page. Not included in Exhibit A, are the additional materials that are referenced and accessible through the hyperlinks the interactive version of this web page. See <http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=23608&&name=n&&currPage=2>

3. Attached as Exhibit B to this Declaration is a true and correct copy of a letter dated November 20, 2007, that CAIR sent to AT&T, an advertiser on Plaintiff's radio show, "The Savage Nation." Plaintiff alleges that "CAIR organized contacts with various advertisers" in paragraphs 36 and also refers to these efforts in paragraph 42 of the Amended Complaint.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed in Washington, D.C., on January 30, 2008.

/s/ Dr. Parvez Ahmed
Dr. Parvez Ahmed

DAVIS WRIGHT TREMAINE LLP

EXHIBIT A



Council on American-Islamic Relations

[Home](#) [About Us](#) [Chapters](#) [Contact](#) [Member Login](#)*In the Name of God, the Compassionate, the Merciful* **Search**[Home](#) - [About Islam](#) - [American Muslims](#) - [Civil Rights](#) - [Government Relations](#) - [Press Center](#) - [Action Center](#) - [Employment](#)

Article Details

[National Radio Host Goes on Anti-Muslim Tirade](#)[RSS](#) [Email](#) [Print](#)

January 28, 2008

National Radio Host Goes on Anti-Muslim Tirade

Posted 11/11/2007 11:40:00 AM

(WASHINGTON, D.C., 11/11/2007) - A prominent national Islamic civil rights and advocacy group today called on radio listeners of all faiths to contact companies that advertise on Michael Savage's nationally-syndicated radio program to express their concerns about the host's recent anti-Muslim tirade.

The Washington-based Council on American-Islamic Relations (CAIR) said Savage, whose "The Savage Nation" airs on more than 300 radio stations nationwide, screamed attacks on Muslims, Islam and the Quran, Islam's revealed text, during his October 29, 2007, program. A number of concerned listeners contacted CAIR about Savage's attacks on Islam.

Savage's shouted anti-Muslim attacks included:

"I'm not gonna put my wife in a hijab. And I'm not gonna put my daughter in a burqa. And I'm not gettin on my all-fours and braying to Mecca. And you could drop dead if you don't like it. You can shove it up your pipe. I don't wanna hear anymore about Islam. I don't wanna hear one more word about Islam. Take your religion and shove it up your behind. I'm sick of you."

"What kind of religion is this? What kind of world are you living in when you let them in here with that throwback document in their hand, which is a book of hate. Don't tell me I need reeducation. They need deportation. I don't need reeducation. Deportation, not reeducation. You can take C-A-I-R and throw 'em out of my country. I'd raise the American flag and I'd get out my trumpet if you did it. Without due process. You can take your due process and shove it."

"What sane nation that worships the U.S. constitution, which is the greatest document of freedom ever written, would bring in people



To listen to these and other bigoted statements by Savage, click on the play button above.

[Issues](#)[Subscribe](#)[Donate](#)[CAIR is Zakat-eligible](#)**EXHIBIT A**

who worship a book that tells them the exact opposite. Make no mistake about it, the Quran is not a document of freedom. The Quran is a document of slavery and chattel. It teaches you that you are a slave."

To listen to these and other bigoted statements by Savage, click [here](#).

Michael Savage has a long history of rhetorical attacks on Muslims and other minorities. In 2004, Savage stated: "I think [Muslims] need to be forcibly converted to Christianity...It's the only thing that can probably turn them into human beings." In 2006, he called for a ban on Muslim immigration and recommended making "the construction of mosques illegal in America."

SEE: [Savage Says Ban the Construction of US Mosques](#)

SEE ALSO: [Michael Savage](#) (Media Matters)

"Michael Savage obviously cares little about the safety or civil rights of American Muslims, but the stations that carry his hate-filled rants do care about listeners' attitudes toward advertisers who pay to air commercials during his program," said CAIR Communications Coordinator Amina Rubin. "Americans of all faiths should take a few minutes to contact any local station that broadcasts Savage's inflammatory tirades to say they will not buy the goods or services of his advertisers."

Rubin added that hate-filled words can and do lead to violent actions against American Muslims. She said there have been several recent apparently bias-related incidents targeting mosques, Islamic institutions and Muslim individuals nationwide.

In Ohio, Nazi swastikas and the phrase "white power" were spray-painted on a Toledo Islamic school and rocks were thrown at worshippers outside a Columbus mosque. In Texas, a shot was fired into a mosque. In New York, a Muslim woman was badly beaten in a bias attack. In California, arsonists torched one mosque and a group of men attacked another. In Maryland, vandals slashed the tires of vehicles owned by a Muslim activist.

CAIR's latest annual report on the status of American Muslim civil rights showed a 25 percent increase in the total number of complaints of anti-Muslim bias from 2005 to 2006.

SEE: [The Status of Muslim Civil Rights in the United States - 2007](#)

CAIR, America's largest Muslim civil liberties group, has 33 offices and chapters nationwide and in Canada. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

- END -

CAIR National Communications Director Ibrahim Hooper, 202-488-8787 or 202-744-7726, E-Mail: ihooper@cair.com; CAIR

<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=23608&&name=n&&currPage=2>

EXHIBIT **A**

Communications Coordinator Rabiah Ahmed, 202-488-8787 or 202-439-1441, E-Mail: rahmed@cair.com; CAIR Communications Coordinator Amrina Rubin, 202-488-8787 or 202-341-4171, E-Mail: arubin@cair.com

[Return](#)

Copyright © 2007, Council on American-Islamic Relations (CAIR). All rights reserved. CAIR® is a registered trademark. CAIR is a not-for-profit organization recognized as tax-exempt under U.S. Internal Revenue Code section 501(c)(3).

[Terms of Use](#) | [Privacy Policy](#)

EXHIBIT **A**

EXHIBIT B



453 New Jersey Ave S.E.
Washington, D.C. 20003
Tel: 202 488 8787
Fax: 202 488 0833
E-mail: info@cair.com
URL: www.cair.com

November 20, 2007

Mr. Randall L. Stephenson
Chairman of the Board, President, Chief Executive Officer
AT&T
175 E. Houston
San Antonio, TX 78205

Via Fax: 210-351-3553

Dear Mr. Stephenson:

It is my unfortunate duty to bring to your attention what is being viewed as your company's support for anti-Muslim bigotry.

Michael Savage, host of the nationally-syndicated "The Savage Nation" radio program, screamed attacks on Muslims, Islam and the Quran, Islam's revealed text, during his October 29, 2007, program.

Savage's shouted anti-Muslim attacks included:

"I'm not gonna put my wife in a hijab. And I'm not gonna put my daughter in a burqa. And I'm not gettin on my all-fours and braying to Mecca. And you could drop dead if you don't like it. You can shove it up your pipe. I don't wanna hear anymore about Islam. I don't wanna hear one more word about Islam. Take your religion and shove it up your behind. I'm sick of you."

"What kind of religion is this? What kind of world are you living in when you let them in here with that throwback document in their hand, which is a book of hate. Don't tell me I need reeducation. They need deportation. I don't need reeducation. Deportation, not reeducation."

"Make no mistake about it, the Quran is not a document of freedom. The Quran is a document of slavery and chattel. It teaches you that you are a slave."

To listen to these and other bigoted statements by Savage, go to:
http://www.cair.com/audio/savage_102907.asp

As an advertiser on his program, your company is offering direct financial support to Savage's hate-filled views.

While Mr. Savage has a First Amendment right to spew Islamophobic hatred, American Muslims and other people of conscience have no obligation to purchase the goods or services of companies that offer financial support to that hate.

EXHIBIT **B**

Case 3:07-cv-06076-SI Document 13 Filed 01/30/2008 Page 9 of 9
Michael Savage has a long history of rhetorical attacks on Muslims and other minorities. In 2004, Savage stated: "I think [Muslims] need to be forcibly converted to Christianity...It's the only thing that can probably turn them into human beings."

In 2006, he called for a ban on Muslim immigration and recommended making "the construction of mosques illegal in America." Also that year, Savage advocated "kill[ing] 100 million" Muslims.

SEE: Savage Says Ban the Construction of US Mosques

<http://mediamatters.org/items/200611290005>

SEE ALSO: Michael Savage (Media Matters)

<http://mediamatters.org/items/200601190009>

Savage Advocated "Kill[ing] 100 Million" Muslims

<http://mediamatters.org/items/200604190001>

Hate-filled words can and do lead to violent actions against American Muslims. There have been several recent apparently bias-related incidents targeting mosques, Islamic institutions and Muslim individuals nationwide.

In Ohio, Nazi swastikas and the phrase "white power" were spray-painted on a Toledo Islamic school and rocks were thrown at worshipers outside a Columbus mosque. In Texas, a shot was fired into a mosque. In New York, a Muslim woman was badly beaten in a bias attack. In California, arsonists torched one mosque and a group of men attacked another. In Maryland, vandals slashed the tires of vehicles owned by a Muslim activist.

The latest annual report by the Council on American-Islamic Relations (CAIR) on the status of American Muslim civil rights showed a 25 percent increase in the total number of complaints of anti-Muslim bias from 2005 to 2006.

SEE: The Status of Muslim Civil Rights in the United States - 2007

<http://www.cair.com/Portals/0/pdf/2007-Civil-Rights-Report.pdf>

I would therefore respectfully request that your company join the other firms, such as Citrix, OfficeMax and JCPenney, that have withdrawn advertisements from "The Savage Nation" as a concrete demonstration of support for American traditions of religious tolerance and mutual respect.

Sincerely,

Ibrahim Hooper
National Communications Director
Council on American-Islamic Relations (CAIR)
202-488-8787 (o)
202-744-7726 (c)

Cc: Shelly Singleton, Via Fax: 314-331-3553

EXHIBIT **B**